

REMARKS

Claim Rejections Under 35 USC § 112, second paragraph

Applicant has amended claim 12 to more clearly recite the structure of the annular axial sealing lip and the carrier element. Accordingly, the rejection is believed to be traversed, and the amended claim to be in proper condition for review on the merits.

Claim Rejections Under 35 USC § 102(b)

Applicant traverses the Examiner's rejection of claims 9-13, 17 and 18 as being anticipated by Antonini (US 4,588,195, referred to hereafter as "Antonini"). To more clearly distinguish over Antonini, claim 1 has been amended, whereupon Applicant contends the rejection should be withdrawn and the claims allowed.

As amended, claim 9 recites a housing closing cover having a carrier element with a generally planar bottom surface to be positioned in direct abutment against a mating component and an opening in the carrier member. A fluid seal is mounted in the opening of the carrier element. The fluid seal has a static annular axial sealing lip facing in the axial direction of the opening adjacent an edge of the opening. The axial sealing lip extends in one direction axially outwardly from the bottom surface of the carrier element to provide a static face seal between the housing and the mating component. The fluid seal also includes an annular radial sealing lip attached to the axial sealing lip. The radial sealing lip extends axially inwardly in relation to the planar bottom surface in a direction opposite the axial sealing lip. The radial sealing lip is supported for angular and radial movement relative to the carrier element without significantly impairing the sealing established by the radial sealing lip about the member projecting through the opening.

In contrast, Antonini does not provide both an axial sealing lip and a separate radial sealing lip. For this reason alone, Antonini does not anticipate amended claim 9. Rather, Antonini provides a seal assembly 10 having a metallic case 14 with an elastomeric body 12 molded to the case 14 to provide only a radial sealing lip 20 arranged for engagement with a shaft 18 (Col. 2, lines 32-34). The sealing lip is located axially inwardly from a radial annulus 36 by an axially extending first annulus 26. Nowhere is there disclosure or a suggestion of a second sealing lip, let alone an axial sealing lip extending axially outwardly from the radial annulus 36 to provide a static face seal. The

Accordingly, the seal assembly 10 provides a dynamic seal against the shaft 18 and nothing more. To modify Antonini in an effort to arrive at Applicant's claimed closing cover requires improper hindsight in view of Applicant's disclosure. Further, to modify Antonini requires changing the case 14 of Antonini from being configured for mounting in a cylindrical bore 40 to being face mounted, which is nowhere suggested or contemplated in Antonini.

Accordingly, amended claim 9 is believed to define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Claims 10-13 are ultimately dependent upon amended claim 9, and thus, are believed to define patentable subject matter for at least the same reasons and to be in proper form for allowance. Such action is respectfully requested.

Claim 17 has been amended to further clarify the radial sealing lip as being substantially radially aligned with the planar bottom surface of the carrier element. The radial sealing lip 20 in Antonini is not radially aligned with such a planar bottom surface. Rather, the sealing lip 20 is located axially inwardly from the radial annulus 36, with no suggestion to the contrary.

Accordingly, amended claim 17, in addition to being dependent upon amended claim 9, is believed to further define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Claim 18 has been amended to further clarify that a wave shaped fusion zone extends coplanar with the planar bottom surface of the carrier element to connect the static face seal to the axial sealing lip.

In Antonini, a reverse bend 28 extends from an axially inward portion of the inside annulus 34 axially outwardly and then it reverses to extends purely in an axial direction to the radial sealing lip 20. It does not extend coplanar with the radial annulus 36.

Accordingly, amended claim 18, in addition to being dependent upon amended claims 17 and 9, is believed to further define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

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Amendment After Final in response to February 1, 2008 OA

Claim Rejections Under 35 USC § 103(a)

Applicant traverses the Examiner's rejections of claim 14 as being obvious over Antonini in view of Phillips (US 4,021,049); claim 15 as being obvious over Antonini and Phillips in view of Phillips (US 6,527,276). Claim 14 and 15 are dependent upon amended claim 9, and thus, are believed to define patentable subject matter for at least the same reasons.

Accordingly, claims 14-16 are believed to define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

No new issues are believed to have been raised which would require further searching, and thus, Applicant respectfully requests that this response be entered and the claims allowed.

It is believed that this application now is in condition for allowance. Further and favorable action is requested.

The Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061.

Respectfully submitted,

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